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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950

July 13, 2006

*Commissioner of Education
Rita Hocog Inos, Ed.D*

George L. Hasselback, Esq.
O'Connor, Berman, Dotts & Banes
Second Floor, Nauru Building
P.O. Box 501969
Saipan, MP 96950

Re: Lisa Black v. PSS, et al. Civil Action No. 05-0038

Dear George:

Yesterday, I reviewed your July 7, 2006 letter. I was out of the office on Monday and Tuesday. When I called you yesterday to discuss the issue, Mike informed me that you already filed a motion to compel. I regret that we were not able to discuss the matter before you filed the motion.

In response to your first 14 production requests, PSS produced documents regarding Lisa Black from a few different files maintained by PSS. PSS produced responsive information to your requests as the documents were found in various files kept in the usual course of business. This is the primary reason that you will sometimes find more than one copy of the same document.

Your second set of 47 requests asks PSS to identify by bates number documents that PSS had already produced. In the interest of being thorough, PSS produced copies of documents maintained in HJHS's file regarding Ms. Black that were responsive to your requests. These documents included duplicate copies of documents already provided. Also in the interest of being thorough, PSS provided the Board of Education file regarding Ms. Black's Grievance. Again, these documents were produced as they were maintained in files kept in the usual course of business.

Rule 34 does not require that PSS organize the documents for you or assist you to prepare your case. However, to reach an agreement regarding this matter, I propose that PSS will clearly identify by bates number the documents contained in the specific files.

I hope this resolves this matter. Please feel free to call me at 237-3047 to me to discuss.

Sincerely,

Heather L. Kennedy
PSS Legal Counsel

cc: AAG Ben Demoux

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